

CONSIDERATIONS

ON THE

MODE AND TERMS

OF A

TREATY OF PEACE

WITH

AMERICA.

Nomen pacis dulce est et RES SALUTARIS et NECESSARIA.

LONDON, Printed 1778:

HARTFORD: Re-printed, by HUDSON
and GOODWIN. MDCCCLXXIX.

ADVERTISEMENT.

***T** H I S Pamphlet was printed in
London about the Time Governor
JOHNSTONE arrived there. It was much
read and a second Impression called for.*



CONSIDERATIONS, &c.

ALTHOUGH immediate peace is necessary for the welfare and safety of the nation, and that peace cannot be had but by the acknowledgment of the independency of America, in which all Europe, and indeed the whole universe are interested ; yet, because a formal acknowledgment of it would be most humiliating to the pride of the nation, it is thought, by some, more adviseable to make use of expedients, and to obtain the necessary tranquility, either

- I. By way of truce ;
- II. By silently and quietly withdrawing the troops from the continent of America, and ceasing to act offensively ; or
- III. By destroying every thing before the struggle is given up, in order to cripple the Americans in their future operations.

Every

Every one of these ways are Inadequate to the end,

In the first place, a truce made between Great-Britain and America will defeat what is, and ought to be, the first object of government ; it will not only be an acknowledgment, *pro tanto et pro tempore*, of the claimed independency, but will prevent the two people returning to their ancient good humour and harmony, the great object of the proposed tranquility ; for such truce will be, as all truces are, armed and full of suspicion,

2dly, To withdraw the troops and leave the Americans to themselves will not have the appearance of the dignity, but fullness of majesty ; it will be a proof of the present impotency, and future intention of this state, and, consequently, will beget in the Americans present contempt, and future dread ; this contempt, and dread, will encourage and provoke on their part the prosecution of the war, which is wished to be avoided : There is, however, reason to think some such measure is now pursuing, the troops having been ordered, it is said, to abandon New-York, Whether this is done through inability to maintain that post, or to succour the capital and essential parts of the empire at this critical juncture, is not worth the present enquiry ; it is probable the ostensible reason will be given, that it is done for the bringing about a treaty, the Americans having made this step one of the alternatives necessary to be complied with before they would treat ; to prove this, however, the
British

British force must be withdrawn from all the territories claimed by the Americans ; if a part is left any where, at Rhode-Island for instance, which perhaps is meant to be made a place for arms, the whole measure will be abortive : It is worth recollecting, likewise, that when this proposition, of either acknowledging the independency or withdrawing the troops, was first made, America stood unconnected and free from real or implied stipulations with foreign powers ; the case is now so altered, that there may be doubts whether she is able, or willing, to act in any thing without the consent and concurrence of France ; but, at most, this alternative is only a preliminary of a treaty, the essential object of which is the American independency.

3dly, The retiring after having done all possible mischief is the council of folly and malice ; it proceeds from despair, and would forever shut the door of peace ; it would produce an eternal abhorrence.

Should it be thought, on consideration, that neither of these expedients are proper, for that Great-Britain can now do nothing but acknowledge the independency of America, yet that this acknowledgment ought not to be made simply and unconditionally ; it would be well for such to consider, that although there was a time when this mode of traffic and bargaining might have been proposed, and agreed to, that time is now past : There was a time when this island might have offered independency to America

rica as a concession requiring some valuable return ; at present, having vindicated, and possessing it in fact, and being guaranteed in the enjoyment thereof by one of the greatest powers, whose influence and example will induce others to take the same step, America will not consider the acknowledgment of independence as a favour ; The right and power which she presumes she has to maintain herself in her present situation, and the fear lest such a mode of bargaining might bring doubts on her unquestioned right, and of setting a dangerous precedent to other nations for her emancipation and purchase of freedom, will oblige her to insist on this acknowledgment in the most perfect, absolute, simple, and unconditional manner,

If such acknowledgment is made, the object of the peace, which would undoubtedly follow, would be obtained, the good opinion of America would be secured, time would be thereby given for the removal of the present suspicions and abhorrence, and for the return of the former amity and good will ; it would give an opening to the ancient intercourse, and a disposition of conducting it with candor and liberality ; the strength, resulting from thence, would be a benefit, and not a terror, to this island : America would then, though independent, be united in heart to Great-Britain, instead of being, as she is at present, independent and united with her enemies. This country, even amidst her most cruel actions, assured herself of the return of the antient good humour of America ;
and,

and, indeed, assured herself so much of it, that, however strange it may appear, it is most certain, this her natural disposition was made use of as an encouragement and provocation to the utmost exertions of the most unrelenting war; for, do what you will, it was said, America would still look up to, and wish to renew, her antient connection with this island. Let this supposed temper of America be tried in the only way now left; force has been found not only ineffectual, but pernicious; let time do that which force cannot do; let that time of peace and its desired operations be obtained by an immediate, clear, and full acknowledgment of the independency of America.

Should all difficulties relative to the matter of a treaty be thus removed, there would still remain difficulties relative to the manner of conducting it; as government, however, has at length got rid of an embarrassment which had been thought insuperable, and had long checked the proper course of business, it cannot be doubted that either wisdom or necessity will induce it to adopt the only mode of obtaining peace now left.

To treat with those who denied, and took up arms in opposition to the authority of Parliament; to treat with declared enemies, and, above all, with the *unlawful* and *vagrant* Assembly, the Congress, were once considered so contrary to the dignity of government as not to be submitted to. The state of things has produced a different sense in the ministry; the
Parliament

Parliament has appointed Commissioners to treat with that obnoxious body, thinking it was the only medium through which peace with America could be had. On the same principle, another mode must now be adopted ; we not only want peace with America, but with France, and the rest of Europe ; but peace with the one cannot now be had, *nor indeed is it worth having*, without peace with the other ; we must now negotiate, and that soon, or an important part of Europe will interfere, and thereby embarrass the negotiation with the adjustment of new interests and claims. This can only be effected by an immediate application to the American Commissioners at Paris. The proposition may at first startle the people of this country, but the surprise will be soon got over, if the state of affairs are duly considered—Things once strange now appear familiar to them—Strange, however, as this may appear, the only mode of attaining peace is to consider and make the American Commissioners at Paris MEDIATORS between Great-Britain and France ; for, though inimical at present because of the hostile disposition of this country, they have at bottom, as is supposed, an attachment to it ; Change, then, your disposition, and theirs will be changed ; they will be the friends of Great-Britain in her fallen state, who have opposed her in her *hour of insolence* ; they must be considered better disposed to this people than the hireling minister of any foreign state ; and, if treated with candour, may be trusted with security—there is little doubt that France would accept their mediation.

Should

Should it be questioned, whether the American Commissioners at Paris have powers sufficient to settle the subsisting differences, the doubt might be soon cleared up by an immediate application; in the mean while it may be presumed they have such powers: for, is it probable that the Congress should have enabled their Commissioners to enter into treaties of commerce and eventual leagues offensive and defensive, for the opening a new intercourse and for the carrying on a war, without enabling them to continue the ancient connection and preventing war: There is no reason to think their judgment so defective. Should it, however, prove, on enquiry, they have not powers sufficiently satisfactory to conclude a perfect treaty, yet no one can be so ignorant of the weight and influence of the American Commissioners, as not to imagine their recommendations will have the fullest effect with Congress. In the mean while a suspension of arms may be obtained in Europe, on the credit, liberality, and integrity of the terms proposed. This is a point of the greatest consequence in the present state of the affairs of Great-Britain.

This form, and it is now perhaps little else, the Americans having the reality, being complied with, Great-Britain will prevent the impending mischief and ruin which the combination of the powers of Europe interested in the independency of America, will otherwise bring down upon her; and America will obtain the only thing she wants: She wants nothing from Europe but peace; which being had, she will

shew herself to Europe in general a most beneficial friend, and to Great-Britain in particular an *essential* one.

This will be manifest to any one who considers the nature of the northern continent of America, and the state of Europe; it is not necessary here to enter into this discussion. There is nothing more clear than that she really wants nothing, and can supply the wants of Europe; this takes away all ground of contention between them. If America stands in need of peace to settle her governments, Great-Britain stands in need of it for the support of her existence; neither, therefore, have claims on each other, for the blessing which is so necessary to both, but in proportion to the greater necessity of one or the other.—America, however, may perhaps be induced to make stipulations of great importance to Great-Britain.

She may agree not to pass the Cape of Good Hope, or go round Cape Horn; she may disclaim all connection with Africa, and its accursed trade; she may engage not only not to possess any part of the West-India Islands, but guarantee to England her possessions there. These are matters of great consequence to this country, but of little moment to America: They are of little moment to America, who wants not extended and distant territory; she has herself more land, capable of every produce, than can be cultivated for ages to come; she knows the mischiefs of the India trade, and shudders at the impiety of the African one;
the

the situation, and necessity of the Islands, will ever make them more beneficially dependent on the Continent, than the claim and possession of unlimited power over them; and their present political partition among the several states of Europe, is more advantageous to her than their engrossment by any one prince.

These things are suggested to shew that the stipulations on these heads will be observed, because the continent of America has no real interest in the breach of them;—a better ground for political faith cannot be had: But although the continent of America has no real interest in the interruption of the present possession of the powers of Europe, yet actuated by the spirit of hostility, if provoked, she will necessarily interfere, and give such disturbance as to render their enjoyment highly precarious at least; and thereby become, from necessity, a dangerous enemy, instead of being a beneficial friend.

These stipulations are well worth the attention of the minister; but there are, likewise, concessions, which might be made of the greatest consequence to this country. She may be induced to take a certain quantity of her manufactures, and supply her with naval stores for a certain number of years; she may enter into engagements about the fisheries on her coasts, the importance of which is well known; she might disclaim an interference with, or interruption of, the trade to Hudson's Bay, the full value of which most
are

are ignorant of; she may, in short, secure, by articles of pacification and commerce, the most profitable parts of the British trade, which will be greatly endangered by the continuance of the present war. But let it be remembered that these articles, stipulations and concessions, must be subsequent to, and not on condition of, the acknowledgment of independency: The prior acknowledgment is necessary to give validity and an obligatory force to the mutual engagements of the two countries, which, without it, might in some future hour of chicane be much questioned.

But, that this and other important matters may be gained, the application ought to be *immediate and open*. The delay of doing what was right has increased the public mischief, and daily embarrasses the progress of peace; it brought on the American declaration of independency, and the French guarantee, and war, in support of it. A farther delay will produce other fatal consequences. No one can doubt the part which Spain will take, who knows the part she has already taken. That Portugal will follow the dictates of Spain, now she is thrown into her arms by the inability of England to protect her, is perhaps certain; her interest, and her inclination, concur with the present necessity: Will the Dutch stand out when the Americans shall declare, and the declaration, if not already made, may be expected soon, "they will not trade with any powers that shall not acknowledge her independency?" The Dutch

Dutch, against whom the act of navigation was levelled, will rejoice at its substantial repeal, and eagerly enjoy the freedom of the sea, and of commerce, on the terms proposed. Should Great-Britain come into the necessary measure after these powers, she will do it with so ill a grace, that her merit will be small indeed.

But, above all, the application ought to be open ; it ought to be sincere and candid in itself, and without disguise or mystery in the making. The former applications, either of a public or private nature, have been defective on this head ; there has been deceit, at least it appears so to the Americans, in the matter and manner of them. If application is now made to the Commissioners at Paris, all under-hand dealings must be omitted, because they cannot have the desired effect ; it is the attempt I would guard against, for the practice of artifice cannot succeed. By the nature of the government of France, few things done in that country can be kept secret ; a negotiation with America can by no means be concealed ; it is the particular interest and honor of the American Commissioners at Paris to discover to the French Court all such applications from Britain ; private attempts will, as the preceeding ones have done, turn against the minister ; they will give the Americans, as they have in all matters since the 16th of December last, much advantage in negotiation ; it will give them the merit of discovering to the French minister how much they are courted by the English govern-

government, and, by consequence, induce him to court them more.

Not a single attempt to gain the Americans has yet succeeded, because candour was wanting; the attempts were treacherous in themselves, and suspicious in their manner. Men of all denominations and characters have been sent, some of whom, under the mask of friendship, have entered into the deepest political discussions---They were sent for that purpose, whatever their ostensible pretences were to the contrary---they lost their errand; they were considered as the tools of the minister, and not as the unreserved, undesigning and confidential friends of the social hour; they played their parts, and were perhaps deservedly played upon.

But whatever they were, they were suited to the business they were sent on. The business must now have another complexion, and, by consequence, agents of a different disposition. If the terms of accommodation are candid and liberal, as the times require, the agents need not be men of noted learning, or political abilities; depend more on the matter which is to be offered, than on the man who delivers it. In truth, no man is wanted that answers only to the character of an agent; a faithful messenger will do the business much better; the times want not the adroitness of a politician, but the simplicity and good intentions of a common man, for the happiness of Great-Britain and America.

Consider

Consider what the public and parliamentary Commissioners have done in America; their success is now fully known : They are men of rank, note and confidence, of various qualities and abilities ; but, whatever rank, note, confidence, qualities and abilities they may have, they are by no means the men proper to have been sent : One of them, in particular, who has stepped forward most busily in the commission, seems to betray it ; he is abusive of those who have employed him, for their insolence ; and most flattering to the great qualities of his enemies, who, have opposed his country ; he apparently justifies the one, and condemns the other, for all their proceedings ; and, instead of a Commissioner of the King of Great Britain, paid an enormous salary for the discharge of a public employment, he wishes to become the curious and wondering traveller, and no more : If more is intended by this abuse, flattery and curiosity, it is such an unworthy piece of business, as would warrant any one's imputing the failure of the commission to the choice of him and his coadjutors, if there was not in the commission itself an internal vice and cause of defeat.

In short, it is not by such means this country can be saved from the ruin which the American dispute is likely to bring upon it.

The terms of accomodation ought to do their own business ; they ought to be so good as to recommend themselves ; they will do it, if they are suited to the times.

The

The American treaty, signed at Versailles the 6th of February, was supposed here not to be perfect until ratified by the people of America, and therefore the English Commissioners, arriving in the country before that event, would easily set the whole aside by the offers of Parliament. The French King knew better ; he well knew his offers were such as insured to themselves the approbation of America ; he waited not for the return of the ratification ; he took his measures as if every thing was concluded. The event has justified his judgment.

Notwithstanding what has been, and might be, said to induce a full and direct acknowledgment of the independency of America, and an immediate and open application to the Commissioners at Paris, there are, perhaps, those who think it will be more for the interest and honour of the kingdom, to sue for peace in a private manner in the closet of the ministers of France.

The object of this mode of application is to avoid if possible, the acknowledgment of the American independency ; for it is thought there can be no sacrifice, however great, which may and ought not to be made for the recovery of the real, or at least the nominal, sovereignty of the country : They who are of this opinion will go great lengths ; they will perhaps offer Canada to France, acknowledge her right, and give her fresh means of carrying on to advantage the Fisheries on the Banks of Newfoundland, and confirm

confirm her in the stipulated part of the American commerce. These and such like terms may perhaps, after the distribution of a quantity of gold, be listened to by some ; whether they will meet with a general approbation, and be accepted of by the government of France, will depend upon its sense of their advantage to the state.

France will consider, in the first place, whether the independence of America is not of more consequence by its actual benefit to her, and mischief to her natural enemy, than the fullest enjoyment of these terms ; whether it is not more for her interest to accept them from America ; whether America has not as much right to offer, and more power to make them good ; and, whether America cannot always offer better terms than Great-Britain.

There are many other considerations, which will naturally suggest themselves to the councils of France ; it will, however, be well worth while to fix our attention upon the last, as it may perhaps produce most serious consequences to this country.

The breaking through the antient system of Colonial government compelled an interruption of commercial connection ; the inforcement of the new adopted measures, by the utmost exertions of war, obliged the Americans to take up arms in self defence ; the method of conducting that war made the declaration of independency necessary ; the applica-
C
tions

tions to the powers of Europe to concur in their subjection, made the treaty of alliance with France unavoidable ; in short, fresh instances of an unrelenting disposition towards them did, and will, produce fresh instances of disgust and retorted mischief. There is not one of these terms, which America, being too much urged, will not offer and cannot make good ; but she may do more : In particular, seeing the inveteracy of the times, and that, after such an application, there is no farther hopes of accommodation, she may be induced, and indeed compelled, to take a step most fatal to this country ; she may forbid the entrance of the British flag into her ports ; she may exclude all British bottoms from her commerce, and lay treble duties on the importation of British commodities.

The idea of excluding the island of Great-Britain from the commerce of the continent of America will be pleasing to all the powers of Europe. They will rejoice at such a signal destruction of an envied monopoly ; and perhaps consider it, insultingly, as an act of justice, that *that* should be the only state excluded from the coasts of America, which, arrogating the whole to itself, had excluded the rest of mankind.

There is nothing exclusive in the original treaty of commerce and alliance between France and America ; this country was candidly told so, and thereby an hint given, what might be. The necessity of affairs may give another turn to the treaty.—The longer
the

the contention is continued, and the more violently it is pressed, the more will the affections of America be alienated from England, and the more firmly will they be fixed on France.

Nothing can be more absurd, dangerous and fruitless, than an endeavour to procure an establishment of the former sovereignty by the means of France; it is the interest of France, that you should have neither the *former sovereignty nor peace*: The independence of America is of more value to her than any thing this country can offer; it secures every effect and benefit of the most humble concessions, and does every possible mischief to her rival and avowed enemy. The minister, therefore, may depend on it, she will side with America, who hath firmly withstood the various public and private applications to withdraw herself from her engagement;—it is both the inclination and interest, and, after what has passed, the honor of France to consider her alliance sacred and inviolable.

Should the offers of the minister be as considerable, or more so than what has been suggested, reflect on the consequences—they must be so considerable as to enable France to prosecute her schemes with greater certainty in future, or else she will certainly not forego her present advantage; they will be so great as to give that court suspicions that they are only offered at this time to gain a sovereignty, and former connexion, by which the force of America may

may be despotically collected, or artfully turned against her by the specious shew of moderation.

Nothing is more common than to hear of the insidiousness of France; it has been, and ever will be, the constant topic of declamation of the good people of this country; but whilst it is so, we cannot but wonder that a private treaty should be entered into, and that such treaty should tend to enable that very power to be more insidious, and should be entered into immediately after the Commissioners of the King and Parliament of Great-Britain had demanded of the Congress—"Whether they could depend on the word and confidence of that court, *whose insidious interposition had, from the settlement of the colonies, been actuated with enmity to both?*"—The ministers must surely appear very simple, or very insidious themselves, who can negotiate with such a power in preference to those, of whom they have no real cause of distrust.

No one will put much faith in the Princes of any country. He that trusts to any thing, but the operation of their interest, is a poor politician; and he that complains of deceit, where there is an interest to deceive, will ever be considered as a fool. But if he does complain, let him be careful to avoid the justice of a similar accusation. France probably laughs at the charge of insidiousness, brought against her by the court of Great Britain: When it was brought, *ungraciously* brought, at the beginning of these troubles

bles, against America, it excited pity: America, however, who only felt an emotion, mixed with sorrow and disdain, when she thought herself calumniated, expressed lately the greatest indignation when the insidiousness of France was *insidiously* alluded to. To America, the conduct of France appears magnanimous and liberal; her offers are at the least apparently fair and equal to her wishes; in keeping to this appearance there is much political wisdom: But when Great-Britain offers to America every thing but independence, she shews the extreme folly of insidiousness; *she gives every thing, only to gain the right and power of retracting every thing.*

Let Great Britain then consider whether it is not, and ever must be, the interest of France to support the independence of America; such consideration will shew the folly of treating with that power to betray it, that no offers are sufficient to obtain her forbearance, but that she will either directly or indirectly pursue her great and permanent interest, by supporting the Americans in their opposition, and inciting other nations to hold up their forbearance likewise as worthy of purchase.

But the particular incitement of France against this country is not necessary; the very precedent is of itself sufficient to suggest to other foreign states the part to be taken in the present circumstances: The purchase of peace is a dangerous expedient; it stirs up fresh opposition, and opens the door to future mischief.

mischief. Should the direct or indirect forbearance of France be actually obtained, it will perhaps be considered as a great point carried; for her countenance and support, alone, are sufficient to enable America to set the power of this island, *even in its most flourishing condition*, at defiance: But there is hardly a Prince in Europe, whose assistance is not sufficient to determine the die in the *present state of British affairs*; and there is not one of them who is not sensible of his temporary and comparative strength. Should France, therefore, be quieted, fresh adversaries and fresh claims will arise in every quarter; every petty Prince having an interest in the independency of America, will expect a satisfaction for giving up his pretences and interest: Some may be satisfied with a little; but others of great rank, power, and enmity to this country, will make important demands; may make such as will be eventual sacrifices of its honour and interest, and which, nevertheless, in the present situation of affairs, cannot either in policy or common prudence be refused. Is it necessary to allude to Spain? If the forbearance of France is to be purchased on the terms suggested by some, Gibraltar and Jamaica will be moderate prices for the purchase of peace with Spain. With respect to the Dutch, there can be no terms offered in satisfaction for their loss of the American commerce, by the re-establishment of the former sovereignty; for the Dutch value trade above all things.

In short, it is impossible for Great-Britain to re-
recover

recover her former sovereignty by any treaty with the powers of Europe ; for all are interested in the independency of America. If she had the means of gaining their present acquiescence and forbearance, and of satisfying their several pretences by the most fatal sacrifices, yet her superiority over America would not be recovered ; nor, what is of more consequence at this juncture, would her peace be restored. America is now of herself sufficiently able to baffle every hostile attempt ; neither dread nor despair will ever induce a submission. Hear her most solemn determination ; the Parliamentary Commissioners heard it to their confusion.

“ To suppose their minds less firm at the present
 “ hour than they were when destitute of all foreign
 “ aid, even without the expectation of an alliance,
 “ when upon a day of public fasting and humiliati-
 “ on, in their house of worship, and in the presence
 “ of God, they resolved *To hold no conference or treaty*
 “ *with any Commissioners on the part of Great-Britain,*
 “ *unless they should, as a preliminary thereto, either with-*
 “ *draw their fleets and armies, or in positive and express*
 “ *terms acknowledge the independency of the States—*
 “ would be highly irrational—Sooner than do it,
 “ they would commence treaties westward of yon-
 “ der mountain.”

F I N I S.

6 AP64

